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UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/853,160
Applicant : FUNAKOSHI, Satoru
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Examiner : P. Nordmeyer

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Customer No. : 22242

January 31, 2005

CONTINGENT AMENDMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window
Randolf Building
401 Dulany Street
Alexandria, VA 22314

Dear Sir:

In the event that the intervening change in PTO Rules retroactively precludes reinstatement of the Appeal, then and only then, please enter this Contingent Amendment as a further response to July 30, 3004 paper (Office Action) so as to assure Applicants that their application remains pending.

- (1) The amendment to the specification is presented at page 2 of this paper.
- (2) The claims as amended are reflected, as a courtesy, in the listing of claims which begins on page 2 of this paper.
- (3) The Remarks begin on page 5 of this paper.